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Central Intelligence Agency



Washington, D. C. 20505

11 MAY 1983

Honorable Barry Goldwater
United States Senate
Washington, D.C. 20510

Dear Senator Goldwater:

Thank you for your letter of 4 April 1983 regarding the clearance status of Mr. Dennis P. Sharon.

We have given careful consideration to your unusual request for access by your personal staffer and, because of your special needs as Chairman of the Senate Select Committee on Intelligence, I have decided to grant an exception to our firm policy.

As you are aware, DCID 1/14 restricts compartmented accesses to "permanent staff persons of Congressional committees designated by committee or subcommittee chairmen...". We have worked very hard to preserve these guidelines in order to limit the dissemination of sensitive information. We have had innumerable requests from Members requesting approvals for their personal staff members and in every case have turned them down on the basis of DCID 1/14.

If Mr. Sharon could be detailed or otherwise assigned to the Armed Services Committee, we could grant access without making an exception, but if this is not feasible, I will grant the exception. I would ask your help in assuring that there is not a flood of requests from other personal staff, and that anyone who inquires is made aware of Mr. Sharon's unique need for these clearances.

Sincerely,
/s/ William J. Casey

William J. Casey
Director of Central Intelligence



AC/OEXR

OEXA #83-0788/1

10 MAY 1983

MEMORANDUM FOR: Director of Central Intelligence

FROM:

Director, Office of External Affairs

SUBJECT: SCI Access for Legislative Branch Personal
Staff Member Dennis Sharon

1. Action Requested: Approve Senator Barry Goldwater's request for SCI access for his personal staffer Dennis Sharon.
2. Background: Attached is a letter responding to Senator Barry Goldwater's request for SCI access for his personal staffer Mr. Dennis Sharon.

This question was studied in 1978 and on 21 July 1978, then DCI Turner issued the results in "Guidelines and Procedures for the Issuance of Compartmented Clearances to the Legislative Branch," which was revised in June 1979. These Guidelines specify that approvals are granted only to "permanent staff persons of Congressional committees designated by committee or subcommittee chairmen, and to selected Members of the Leadership staffs as designated by the President and President Pro-Tempore of the Senate, the Speaker of the House of Representatives and the Majority and Minority Leaders of both Houses respectively." Personal staffers have not been granted approvals.

Since the issuance of the Guidelines, we have received numerous requests from Members for approvals of personal staffers. We have steadfastly held that to approve staff members would open this sensitive material to far too many individuals. At present there are committee staff personnel approved for SI, approved for TK and approved for BYC. For each Member of the Armed Services, Appropriations, Foreign Relations and Foreign Affairs Committees to request approval of just one personal staff member would amount to approvals for approximately more people.



Storage is another problem. The SSCI would have to agree to receive and store all materials sent to Mr. Sharon. Already both Intelligence Committees are balking at the amount of compartmented material they are asked to handle for other Committees. HPSCI Staff Director Tom Latimer has refused to receive and store material from the National Security Agency for the House Armed Services Committee.

3. Recommendation: In view of the fact that Senator Goldwater is Chairman of the Senate Select Committee on Intelligence, it is recommended that you sign the attached letter granting this one-time exception. The Director of Security, while concerned that this case will undermine what has been a sound policy of excluding personal staffers, nevertheless concurs in this one exception under the circumstances.

STAT

Attachment:
As Stated

APPROVE EXCEPTION TO GUIDELINES:

/s/ William J. Casey
Director of Central Intelligence

11 MAY 1983

Date

DENY EXCEPTION TO GUIDELINES:

Director of Central Intelligence

Date

Distribution:

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 1 - C/SSC/OS
 1 - C/LLD/OEXA 1 - OEXA Subject
 1 - AO/OEXA 1 - OEXA Chrono

OEXA:JMD (9 May 83)

REVISED GUIDELINES AND PROCEDURES FOR THE ISSUANCE OF COMPARTMENTED CLEARANCES TO THE LEGISLATIVE BRANCH

At the direction of the Director of Central Intelligence, to centralize the issuance of compartmented access approvals to the Legislative Branch, including staff employees of Congress, and employees of the General Accounting Office and the Library of Congress, thereby assuring the uniform and strict application of need-to-know and personnel security criteria, and to provide for an accurate, up to date, centralized record of holders of such approvals, the following guidelines and procedures are established effective immediately.

A. The DCI's Legislative Counsel shall serve as the Intelligence Community focal point for assuring the proper exercise of need-to-know pertaining to access by employees of the Legislative Branch to intelligence maintained and controlled within the SI, TK or BYE systems of compartmentation. The DCI's Legislative Counsel, acting on behalf of the DCI, shall oversee the processing of all such requests and shall validate the need-to-know. The DCI's Director of Security shall review such requests to assure proper uniform application of security criteria for access under the provisions of DCID 1/14.

B. All requests received by departments and agencies to grant employees of the Legislative Branch access to intelligence controlled within the SI, TK or BYE systems of compartmentation will be submitted by the recipient with its decision, to the DCI's Legislative Counsel for review and concurrence. Requests must clearly describe the nominee's need-to-know. Issues arising in regard to particular requests will be referred to the Director of Central Intelligence for resolution.

C. All requests for approvals of access to intelligence controlled within any system of compartmentation for any employees of the General Accounting Office or the Library of Congress will be submitted to the DCI's Legislative Counsel and will be personally approved by the DCI. Such requests must be at the direction of a Congressional committee and by letter from the committee chairman to the department or agency involved, fully stating the Congressional requirement.

D. Access to compartmented information will be approved only for permanent staff persons of Congressional committees designated by committee or subcommittee chairmen, and to selected Members of the Leadership Staffs as designated by the President and President Pro-Tempore of the Senate, the Speaker of the House of Representatives and the Majority and Minority Leaders of both Houses respectively. Personal staff of Members of Congress shall not be granted compartmented clearances.

E. The following criteria will be used to establish need-to-know:

- 1. Direct involvement in authorization legislation pertaining to Intelligence Community agencies;**
- 2. Direct involvement in appropriations legislation for Intelligence Community agencies;**
- 3. Direct involvement in reviews authorized by law of activities of Intelligence Community agencies;**
- 4. Direct involvement in oversight responsibilities carried out by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence;**
- 5. Direct involvement in other legislative matters which of necessity require direct access to compartmented intelligence.**

In most cases, the need for substantive intelligence can be fulfilled without disclosing the source or method of acquisition. Therefore, every effort will be made to satisfy Congressional requirements for information by providing noncompartmented or sanitized material which does not reveal the manner of collection or acquisition. Direct access to compartmented information will not be approved unless sanitization or the provision of noncompartmented information is shown to be inadequate to meet the Congressional requirement.

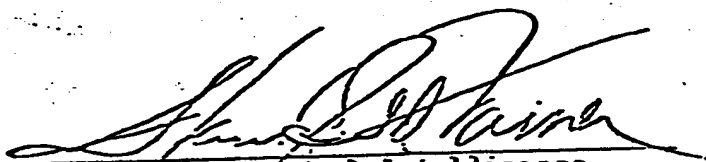
F. All requests for approvals of access to intelligence which is controlled within any system of compartmentation for any personnel designated under paragraphs C and D above must be at the direction of a committee or subcommittee Chairman and submitted by letter from that Chairman to the department or agency involved. Such a letter must include the following information:

- 1. Name of person requiring access**
- 2. Date of birth**
- 3. Social Security number**
- 4. Position held on staff of committee or subcommittee**
- 5. Justification for access (cite as appropriate items 1 through 5 of paragraph E above) if 5 specify nature of requirement**
- 6. Date of last background investigation and by what department**
- 7. Specific clearance required**

G. Access approvals will be valid only so long as they are necessary, and approvals granted for particular requirements will be terminated when those requirements have been met. All approvals will be included in the central data base maintained by the Special Security Center under the direction of the DCI's Director of Security.

H. All persons, excluding Members of Congress, granted access to compartmented intelligence information shall have been the subject of a prior investigation meeting the criteria set forth in DCID 1/14. Security investigations of Congressional staff persons may be conducted under agreed upon arrangements with chairmen of committees or subcommittees, as appropriate. Investigations generally will be conducted by the Department of Defense, the FBI, or Office of Personnel Management, depending upon the particular arrangements. The agency or department sponsoring the clearance will assume responsibility for assuring the conduct of an appropriate investigation. Security determinations made by sponsoring agencies or departments will be reviewed by the DCI's Director of Security to assure the proper uniform application of security criteria under DCID 1/14.

I. No materials controlled within a system of compartmentation will be provided to any Legislative Branch requester for retention without the approval of the DCI's Legislative Counsel and unless maintained in storage facilities which meet prescribed physical security requirements and are so certified by the Special Security Center.


Director of Central Intelligence

28 June 1979
Date

All Portions of This Document
Are Unclassified

Lavon:

9 MAY 1983

STAT

I took this to [] this morning - attached is his change. The change has been made in the memo. The package is ready to go. Burt said that it is up to Goldwater and Sharon to get him assigned to a Committee - we are not really involved.

Joan

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ROUTING AND TRANSMITTAL SLIP		Date
		9 May 1983
TO: (Name, office symbol, room number, building, Agency/Post)		Initials Date
1. D/Security		
2.		
3.		
4.		
5.		
Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS As you can see from the copy of the pink cover sheet - Mr. McMahon wants a letter granting the exception for Mr. Sharon. We have rewritten the letter and the memo to the DCI (attached) - we put in that you recommend against the exception. We wanted to be sure you saw this before we send it forward. Please let us know if you approve the memo.

AO/OEXA

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DO NOT use this form as a **RECORD** of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

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The Director
Central Intelligence Agency



Washington, D.C. 20505

OLC #77-5982

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OLD RECORD COPY

28 NOV 1977

Executive Registry

77-2690/1

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Honorable Daniel K. Inouye, Chairman
Select Committee on Intelligence
United States Senate
Washington, D. C. 20510

SSCI

77-0799

Dear Mr. Chairman:

I am sure you are aware that the President is very concerned about the widespread dissemination of sensitive intelligence and is studying measures to reduce the number of people exposed to such information. The purpose of this letter is to acquaint you with some problems we are facing with regard to dissemination of sensitive intelligence information in compartmented categories and to ask your support for the policies I am following in this matter.

On several occasions during this past year I have been asked by Members of Congress to grant clearances for access to compartmented information to employees of their personal staffs. On all such occasions I have followed our established policy of granting compartmented access clearances only to permanent staff members of Congressional committees which have a jurisdictional interest in such matters. Were I not to follow this established procedure, the number of potential persons who could be given access to compartmented information would be formidable, given the fact that there are 535 Members of Congress. The problem has been complicated in the Senate somewhat by the concept of staff designees which permits a Member to designate a member of his personal staff to assist him in his work on a specific committee and authorizes the funds to pay that staff member. With the concurrence of the committee concerned, we have treated such individuals as personal staff members, rather than as committee staff.

There are good reasons for granting compartmented access only to staff members of the Congressional committees having a need for access to such sensitive intelligence information. The chairman of a particular committee is in the best position to determine a staff member's actual need to know which is the basic principle governing access to information even though a person possesses a particular clearance. Also, committees have established rules and procedures for handling and storage of compartmented information which personal offices of Members of Congress do not have. In addition, a committee staff member is subject to committee discipline for violation of such rules and procedures.

These reasons, in addition to the sheer number of persons who could obtain compartmented information were we to grant such clearances to members of personal staffs, lead me to the conclusion that I must continue the established procedures. You might be interested to know that the limitations I have placed on compartmented access do not apply only to Congress. I have recently frozen the number of such clearances within the Executive Branch and expect soon to issue instructions for net reductions.

I am sure you can understand the concerns I have outlined above. We will continue to study this matter and, in the event a change in our established policy is dictated, I will certainly notify you.

Yours sincerely,

/s/ Stansfield Turner

STANSFIELD TURNER

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OLC/THW/mg (21 Nov 77)

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OLL 84-4797

17 December 1984

**SUBJECT: Current Procedures and Criteria for the Issuance
of Compartmental Clearances to the Legislative Branch**

1. General:

Revised Guidelines regarding compartmented clearances to the Legislative Branch were sent in July 1979 to the following:

Chairmen: SSCI and HPSCI
Chairmen: Committee on Appropriations, both Senate and House
Committee on Armed Services, both Senate and House
Committee on Foreign Relations/Foreign Affairs,
Senate and House
Chairmen: Subcommittee on Science, Technology and Space
Senate Committee on Commerce and Transportation,
Senate
Chairmen: Subcommittee, Space, Science and Applications, House
Committee on Science and Technology
Speaker of the House
President of the Senate

Mr. Jack Stempler, Department of Defense
Mr. Ken Geisen, Defense Intelligence Agency
Mr. Eugene Yeates, National Security Agency
Mr. Gene E. Godley, Treasury
Mr. Emil Moschella, Federal Bureau of Investigation
Mr. Douglas J. Bennet, Jr., State
Mr. Alan Parker, Justice
Mr. Richard Wright, Energy

One exception was made in March of 1984 for a Gerald J. Smith, who replaced Mr. Dennis Sharon, a staffer for Senator Barry Goldwater. This was made because of the special needs Goldwater required as Chairman of the SSCI.

Denials were made in 1977 to Senator Daniel Inouye, Chairman of the SSCI at that time, to Senator Edward Kennedy for a personal staffer, and to Senator Frank Church for a personal staffer.

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2. HPSCI:

**House Permanent Select Committee on Intelligence Staffers
Entitled to a Full Briefing:**

Thomas K. Latimer, Staff Director
Michael J. O'Neil, Chief Counsel
Steven K. Berry, Associate Counsel
David Addington, Counsel
Bernard Raimo, Jr., Counsel
Professional Staff Members Leon S. Fuerth
Richard Giza
Duane Andrews
Martin C. Faga
Elizabeth Keyes
Robert Kitch
Robert Surette

**House Appropriations Defense Subcommittee Staffers Entitled to
a Full Briefing:**

James Van Wagenen, Staff Assistant
John Plashal, Staff Assistant
Donald Richbourg, Staff Director (Upon request and generally
when travelling)
George Allen, Minority Staff Director (Upon request and generally
when travelling)

Members:

All Members of HPSCI and HAC Defense Subcommittees are entitled to full briefings. Briefings of other Members or staffers not on the HPSCI and HAC Defense Subcommittees are handled on a case by case basis. The decision on these ad hoc briefings are made in consultations between the D/OLL and the effected Deputy Director. If there are differences, the decision is bucked up to the DDCI and the DCI.

Other Members and staffers receive a PNGLEAN type briefing by the DDI providing they have a demonstrated need-to-know and the proper clearances.

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3. SSCI

SSCI Staffers Entitled to Covert Action Briefings. The staffers are appointed to the CA Compartment by the Staff Director.

Staff Director Robert Simmons
Minority Staff Director Peter Sullivan
Majority Counsel Gary Chase
Daniel Finn
Charles Andreae
Keith Hall
Larry Kettlewell

All other staffers are entitled to full briefings except covert action. In some ad hoc cases other staffers have been granted access to certain covert action briefings.

SAC Defense subcommittee staffers entitled to covert action briefings.

Staff Director Dwight Dyer
Susan Shekmar
Minority Staff Francis J. Sullivan
Edward A. Swoboda

All Members of SSCI and SAC Defense Subcommittee are entitled to full briefings. Briefings of other Members or Staffers not on the SSCI or SAC Defense Subcommittee are handled on a case by case basis. PNGLEAN type briefings by the DDI are provided if they have a demonstrated need to know and the proper clearances.

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4. Attached please find "REVISED GUIDELINES AND PROCEDURES FOR THE ISSUANCE OF COMPARTMENTED CLEARANCES TO THE LEGISLATIVE BRANCH," as well as other miscellaneous materials and correspondence relating to our clearance procedures.



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Chief, Liaison Division
Office of Legislative Liaison

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G. Access approvals will be valid only so long as they are necessary, and approvals granted for particular requirements will be terminated when those requirements have been met. All approvals will be included in the central data base maintained by the Special Security Center under the direction of the DCI's Director of Security.

H. All persons, excluding Members of Congress, granted access to compartmented intelligence information shall have been the subject of a prior investigation meeting the criteria set forth in DCID 1/14. Security investigations of Congressional staff persons may be conducted under agreed upon arrangements with chairmen of committees or subcommittees, as appropriate. Investigations generally will be conducted by the Department of Defense, the FBI, or the Civil Service Commission, depending upon the particular arrangements. The agency or department sponsoring the clearance will assume responsibility for assuring the conduct of an appropriate investigation. Security determinations made by sponsoring agencies or departments will be reviewed by the DCI's Director of Security to assure the proper uniform application of security criteria under DCID 1/14.

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Director of Central Intelligence

Date

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Washington, D.C. 20505

OLL #84-0805/1

09 MAR 1984

The Honorable Barry Goldwater, Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for your letter of 24 February 1984 regarding the clearance of Mr. Gerald J. Smith, who has replaced Mr. Dennis Sharon on your staff.

We have given careful consideration to your unusual request for access by your personal staffer and, because of your special needs as Chairman of the Senate Select Committee on Intelligence, I have again decided to grant an exception for this one position.

As you are aware, DCID 1/14 restricts compartmented accesses to "permanent staff persons of Congressional committees designated by committee or subcommittee chairmen...". We have worked very hard to preserve these guidelines in order to limit the dissemination of sensitive information. We have had innumerable requests from Members requesting approvals for their personal staff members and in every case have turned them down on the basis of DCID 1/14.

If Mr. Smith could be detailed or otherwise assigned to the Armed Services Committee, we could grant access without making an exception, but if this is not feasible, I will grant the exception. I would ask your help in assuring that there is not a flood of requests from other personal staff, and that anyone who inquires is made aware of Mr. Smith's unique need for these clearances.

We have deleted Mr. Sharon's clearance as of this date.

Sincerely,

/s/ William J. Casey

William J. Casey
Director of Central Intelligence

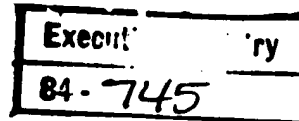
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SENATOR PATRICK MOYNIHAN, N.Y., VICE CHAIRMAN
JAKE GARN, UTAH
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PATRICK J. LEAHY, VT.
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SAM NUNN, GA.

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ROBERT R. SIMMONS, STAFF DIRECTOR
GARY J. SCHMITT, MINORITY STAFF DIRECTOR

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, D.C. 20510



25X1

February 24, 1984

The Honorable William J. Casey
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Bill:

Recently I have become aware of a problem which I would like you to help me solve. My principal assistant on the staff for military affairs, Gerald J. Smith, does not currently have a TOP SECRET/CODEWORD clearance.

Gerry is a recently retired Air Force Colonel. As you would expect, he held TOP SECRET/CODEWORD clearances for several years while on active duty. I am aware that a Memorandum of Understanding, signed in June of 1979, and some revised guidelines issued by the Carter Administration state that no personal staff members shall be granted compartmented clearances. However, in this case, I would strongly urge you to make a one-time exemption to these existing guidelines.

Gerry is my right-hand man on Armed Services Committee matters and it is very important to me that he be exposed to the compartmented information which that Committee receives. His unique background and his prior service in the Air Force create the very real prospect that I can use him in my Senate Armed Services Committee role.

Obviously, I would not advise a blanket exemption nor a routine issuance of compartmented clearances to personal staff. However, in this case, I think it is appropriate and necessary. I would appreciate it if you would put the process in motion to reinstate clearances for Mr. Smith.

With best wishes,

Barry
Barry Goldwater
Chairman

DCI
EXEC
REG

**REVISED GUIDELINES AND PROCEDURES FOR THE ISSUANCE
OF COMPARTMENTED CLEARANCES TO
THE LEGISLATIVE BRANCH**

At the direction of the Director of Central Intelligence, to centralize the issuance of compartmented access approvals to the Legislative Branch, including staff employees of Congress, and employees of the General Accounting Office and the Library of Congress, thereby assuring the uniform and strict application of need-to-know and personnel security criteria, and to provide for an accurate, up to date, centralized record of holders of such approvals, the following guidelines and procedures are established effective immediately.

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E. The following criteria will be used to establish need-to-know:

- 1. Direct involvement in authorization legislation pertaining to Intelligence Community agencies;**
- 2. Direct involvement in appropriations legislation for Intelligence Community agencies;**
- 3. Direct involvement in reviews authorized by law of activities of Intelligence Community agencies;**
- 4. Direct involvement in oversight responsibilities carried out by the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence;**
- 5. Direct involvement in other legislative matters which of necessity require direct access to compartmented intelligence.**

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F. All requests for approvals of access to intelligence which is controlled within any system of compartmentation for any personnel designated under paragraphs C and D above must be at the direction of a committee or subcommittee Chairman and submitted by letter from that Chairman to the department or agency involved. Such a letter must include the following information:

- 1. Name of person requiring access**
- 2. Date of birth**
- 3. Social Security number**
- 4. Position held on staff of committee or subcommittee**
- 5. Justification for access (cite as appropriate items 1 through 5 of paragraph E above) if 5 specify nature of requirement**
- 6. Date of last background investigation and by what department**
- 7. Specific clearance required**